

PLANNING COMMISSION
August 4, 2014
PUBLIC HEARING ON PROPOSAL TO EXPIRE THE BOND ON
D'ARCANGELO ESTATES SUBDIVISION

Tony Whelan, Chairman, opened the Public Hearing at 6:15 P.M. with the following in attendance:

MEMBERS:

Anthony Whelan, Chair
Robert Pease, Vice-Chair
Harry Jancis, Absent
Ray Krzykowski
Robert Urbano, Alternate, Absent

OTHERS:

Public: 2
Wayne Zirolli, Borough Engineer
Sue Goggin, Secretary

Wayne Zirolli read his report into the record and reviewed the items needed for the road acceptance. The Bond is for about \$52,000.

Mr. Yagan feels the bond amount is fabricated to be too much. He stated they will redo the landscaping, but only on the condition this will be the last time they fix it. He stated they will remove the silt fence if needed along with any trash. He said the sanitary report was already given to the Commission. Mr. Yagan said they will do the tree repair, and the road shoulder is part of the landscaping. He stated the drainage structures were already done. He will be present to inspect the property and if there is anything else that has to be done they will be happy to do it. He stated the plans for the final as-built have been given to Jim Stewart and approved by him. He stated he wants to get the bond released. He will address these items within the next 30 days. He said he has done these things two times already and this will be the third.

Wayne Zirolli said he will inspect the items on the list and make sure they are taken care of. If the items are done, he will make sure he will not have to do them again.

Attorney Fitzpatrick stated the applicant should be aware that many of these items are the developer's responsibility according to the subdivision regulations until the Borough accepts the road.

Emma Newson, D'Archangelo Drive, asked when the road is accepted, what will happen to the cinderblocks and if they will remain in place. Wayne Zirolli said he will have to check with Jim Stewart, but he believes they will stay so there is no through traffic or dumping of trash. He said the Public Works Crew will maintain that section. Ms. Newson asked how the roads would be plowed. Tony Whelan said he spoke with Jim Stewart and was told he could back plow that section of the road and pick up the trash. Tony Whelan closed the Public Hearing.

PLANNING COMMISSION
August 4, 2014
PUBLIC HEARING ON PROPOSED 11 LOT SUBDIVISION
ON FIELD STREET, ANDERSON MILLS, LLC

MEMBERS:

Anthony Whelan, Chair
Robert Pease, Vice-Chair
Harry Jancis, Absent
Ray Krzykowski
Robert Urbano, Alternate, Absent

OTHERS:

Public: 1
Wayne Zirolli, Borough Engineer
Sue Goggin, Secretary

This application was withdrawn. Robert Pease read the letter from Attorney McVerry of withdrawal into the record.

There were also 2 letters from residents received in the office. The first letter was from Stephen Hebb at 245 Field Street and the other letter was from Robert and Bethany DiDato at 237 Field Street.

Public Comment:

Nadia Wilcox of 7 East Drive wanted to clarify that the application was withdrawn and asked if they would be able to reapply. Attorney Ned Fitzpatrick stated the status of the application is withdrawn. He said he did have a discussion with Attorney McVerry which led to the withdrawal. He stated the applicant is free to reapply at any time, as any applicant can. Mrs. Wilcox said she has a water easement that runs through her yard and is concerned what would happen if they started to develop this property. She stated there are wetlands there and she has an active water easement that runs 24-7 through her yard. She said they are concerned for their property. She said they would be affected by one of the proposed houses built behind their lot. Mrs. Wilcox said they are responsible for the pipe and it is listed on their property deed.

Matthew Tansley, 400 Park Avenue, did not have any comments but wanted it noted that he was present at the meeting.

**PLANNING COMMISSION
REGULAR MEETING August 4, 2014**

Anthony Whelan, Chairman, opened the meeting at 6:00 P.M. with the following in attendance:

MEMBERS:

Anthony Whelan, Chair
Robert Pease, Vice-Chair
Harry Jancis, Absent
Ray Krzykowski
Robert Urbano, Alternate, Absent

OTHERS:

Public: 2
Wayne Zirolli, Borough Engineer
Sue Goggin, Secretary

1. Anthony Whelan led with the Pledge of Allegiance. He took attendance, and noted there was a quorum.
2. Executive session with Borough Attorney.

There was no executive session.

3. Review /Approval of the July 14, 2014 Regular Meeting Minutes and Public Hearing Minutes.

VOTED: Unanimously on a motion by Ray Krzykowski and seconded by Robert Pease to **APPROVE** the July 14, 2014 Regular Meeting Minutes and July 14, 2014 Public Hearing Minutes as written.

4. OLD BUSINESS:

- A. Commission discussion/decision to call the bond for D'Archangelo Estates.

VOTED: Unanimously on a motion by Bob Pease and seconded by Ray Krzykowski to **CALL** the bond for D'Archangelo Estates but stay the execution of the call until the next meeting on September 8, 2014.

- B. Commission discussion/decision regarding Planning Commission's proposal to expire the D'Archangelo Estates Subdivision, file on the land records a notice of such expiration and call the surety on said subdivision to the extent necessary to complete the bonded improvements and utilities required to serve those lots.

VOTED: Unanimously on a motion by Bob Pease and seconded by Ray Krzykowski to call the bond but stay the execution until the next meeting on September 8, 2014.

- C. Commission discussion/decision regarding a referral from the Zoning Commission for a Special Permit application for a proposed convenience

store/gas station/donut shop and earth excavation of more than 350 cubic yards of material at 42-46 Prospect Street; Applicant: Remzi and Vesel Nasufi

Attorney Michael McVerry, 35 Porter Avenue, representing the applicant reviewed the application. He stated the applicant is planning to remove the 2 current structures and construct a new building. He noted this application is also in front of the Zoning Commission. He stated they received a report from Wayne Zirolli and that Mr. Plourde will review the changes with the Commission.

Brian Plourde, PE stated he received Mr. Zirolli's comments and is in the process of revising the minor changes he had asked for. He felt they were easily addressable.

Mr. McVerry stated the Zoning Commission requested a traffic study, which has been ordered, and anticipate having it for the continued Public Hearing in 2 weeks. He again stated they are here for a referral from the Planning Commission to the Zoning Commission. He noted it is in conformity with the Plan of Conservation and Development.

Wayne Zirolli stated they have revised the site layout for better flow of the whole site, they have separated the distance between the parking spaces, addressed the traffic flow, and the gas islands. He said the biggest concern would be the traffic study, which has been ordered and the construction of the retaining wall which has been detailed on the plans. He noted it has been designed for a 25 year storm. Mr. Zirolli said overall he does not see any large difficulties.

Attorney McVerry said the Inland Wetlands Commission did determine this to be a significant activity and they do have a Public Hearing set.

VOTED: Unanimously on a motion by Bob Pease and seconded by Ray Krzykowski to send a positive referral to the Zoning Commission for a Special Permit application for a proposed convenience store/gas station/donut shop and earth excavation of more than 350 cubic yards of material at 42-46 Prospect Street; Applicant: Remzi and Vesel Nasufi

5. NEW BUSINESS

- A. Commission discussion/decision regarding accepting or rejecting proposed 11 lot subdivision located on Field Street; Applicant: Anderson Mills, LLC

This application was withdrawn.

- B. Commission discussion/decision regarding a referral from the Zoning Commission for a Special Permit application for a proposed addition to the convenience store at 1419 New Haven Road; Applicant: MNA Holdings, LLC

Brian Plourde, Pustola and Associates, stated this application is in front of the Zoning Commission. He reviewed the application. Wayne Zirolli read his comments into the record. He stated he reviewed the plans. Bob

Pease asked what the second floor would be used as. Mr. Plourde said the intent is to be used as an attic.

VOTED: Unanimously on a motion by Ray Krzykowski and seconded by Bob Pease to send a positive referral to the Zoning Commission for a Special Permit application for a proposed addition to the convenience store at 1419 New Haven Road; Applicant: MNA Holdings, LLC

C. All new items will require a 2/3 vote.

There were no new items.

6. ADJOURNMENT

VOTED: Unanimously on a motion by Bob Pease and seconded by Ray Krzykowski to adjourn the meeting at 7:02 P.M.

RESPECTFULLY SUBMITTED:

Ray Krzykowski, Secretary/rp